

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

TRUSTEES OF MICHIGAN
CONFERENCE OF TEAMSTERS
WELFARE FUND,

Case No. 20-cv-10459

Plaintiff,
v.

JAMES ALFORD and DAWN ALFORD,

Defendants.

ORDER ON REQUEST TO SET ASIDE DEFAULT JUDGMENT [15]

Pending before the Court is Defendant James Alford's request to set aside the clerk's entry of default. (ECF No. 15.) Under Federal Rule of Civil Procedure 55(c), the Court may set aside the clerk's entry of default for "good cause shown." The Court considers three equitable factors to determine if "good cause" has been shown under Rule 55(c): "(1) whether culpable conduct of the defendant led to the default, (2) whether the defendant has a meritorious defense, and (3) whether the plaintiff will be prejudiced."

Burrell v. Henderson, 434 F.3d 826, 831 (6th Cir. 2006) (citations omitted). Here, having reviewed the record on this matter in its entirety, and having considered the aforementioned factors in light of the record in this case, the Court finds good cause to set aside the clerk's entry of default against Defendant James Alford.

Accordingly, it is hereby **ORDERED** that the clerk's entry of default against Defendant James Alford (ECF No. 14) is **SET ASIDE**. It is further **ORDERED** that Defendant James Alford shall have thirty (30) days from the date of this order to respond

or otherwise answer Plaintiff's complaint. And it is further **ORDERED** that nothing in this order should be construed as limiting Plaintiff from subsequently seeking the entry of default against Defendant James Alford if he ultimately fails to answer or otherwise respond to Plaintiff's complaint.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: December 2, 2020

I hereby certify that a copy of the foregoing document was served upon counsel of record on December 2, 2020, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager